

ORDINANCE NO. 60-1987

AN ORDINANCE AMENDING CHAPTER 8, "CONSTRUCTION REGULATIONS," ARTICLE IV, "UNIFORM CODES AND OTHER REGULATIONS," DIVISION 3, "ELECTRICAL CODE," OF THE ABILENE MUNICIPAL CODE, BY AMENDING CERTAIN SECTIONS AS SET OUT BELOW; PROVIDING A SEVERABILITY CLAUSE; AND DECLARING A PENALTY.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF ABILENE, TEXAS:

PART 1: That Chapter 8, Article IV, Division 3, "Electrical Code," of the Abilene Municipal Code be amended as set out in Exhibit "A," attached hereto and made a part of this ordinance for all purposes.

PART 2: That if any provision or any section of this ordinance shall be held to be void or unconstitutional, such holding shall in no way affect the validity of the remaining provisions or sections of this ordinance, which shall remain in full force and effect.

PART 3: That any person, firm or corporation violating any of the provisions of this chapter shall be deemed guilty of a misdemeanor, and upon conviction thereof, shall be punished by a fine of not more than Two Hundred Dollars (\$200.00). Each day such violation shall continue or be permitted to continue, shall be deemed a separate offense. Said Ordinance, being a penal ordinance, becomes effective ten (10) days after its publication in the newspaper, as provided by Section 19 of the Charter of the City of Abilene.

PASSED ON FIRST READING this 10 day of September, A.D. 1987.

PASSED ON SECOND AND FINAL READING this 24 day of September, A.D. 1987.

ATTEST:

Patricia Hancock
CITY SECRETARY

Dale Ferguson
MAYOR

APPROVED:

Deborah Burleson
CITY ATTORNEY

EXHIBIT "A"

ORDINANCE NO. 60-1987

Amend Ch. 8, Art. IV, Division 3, "Electrical Code" as follows:

Section 3. Delete in its entirety and insert the following:

Section 3.

All electrical installation in the City shall be done in accordance with the 1987 edition of the National Electrical Code, published by the National Fire Protection Association together with standards of the National Electrical Manufacturers Association and the American National Standards Institute. Each new revision of the National Electrical Code shall be recommended to the City Council for adoption as soon as it becomes available. In the event of any conflict between the Code and this pamphlet, the stricter provision shall apply.

Sections 32 and 41. Delete in their entirety and insert the following:

Section 32.

The Board is hereby empowered to adopt rules and regulations consistent with the electrical code for the examination and re-examination of applicants for licensing as master (journeyman) electricians. The Board shall fix reasonable times for the examination or re-examination of all applicants for licenses. Examinations shall be made available a minimum of three times in each calendar year. Dates of examinations shall be spaced at approximately equal intervals. The Board shall furnish all necessary forms to each applicant who wishes to be licensed in accordance with the terms of the electrical code of the City of Abilene. At least one board member shall be present during the examination process to ensure that proper procedures are carried out.

Applications for examination must be filed with the Board 60 days before the date of examination. The application for examination must be accompanied by payment of all fees as established by resolution.

The Board shall prescribe the form, substance and length of the examination for licenses authorized by the Electrical Code. Subject matter of the examination may test the applicant on the following:

- (1) knowledge of any or all types of electrical installation authorized by law within the City of Abilene,
- (2) his knowledge of electricity and diagrams of any or all types of electrical installations authorized by law within the City of Abilene,
- (3) his knowledge and familiarity with the National Electrical Code as currently adopted by the City of Abilene,
- (4) his practical and working knowledge of electrical wiring and construction,
- (5) his knowledge and familiarity with the Electrical Code of the City of Abilene.

The weight to be given by the Board to each question asked upon examination shall be at the sole discretion of the Board. The Board is further authorized to give more weight to a particular part of any examination given at its sole discretion.

Every examination given by the Board for all types of electrical licenses shall be structured by the Board so that a score of one hundred (100) percent shall be a perfect score. Every applicant taking an examination for any type of electrical license must receive a minimum score of seventy (70) percent to pass the examination and be eligible for licensing under the Electrical Code of the City of Abilene.

The Board may utilize any national testing firm, corporation or association to prepare and grade all examinations authorized by the Electrical Code of the City of Abilene. In every case where the Board utilizes the services of a national testing firm, corporation or association, the test so provided shall test each applicant in accordance with the above noted information.

Applicants for any type of license may be rejected by the Board and not examined upon a finding of any of the following:

- (1) That the application contains any false or misleading statements. When an application has been rejected for containing a false or misleading statement knowingly submitted by the applicant, no new application shall be considered from such individual for a period of one (1) year.
- (2) That the applicant fails or refuses to provide any information requested on the application form or forms by the Board.
- (3) That the applicant has had his license revoked or suspended and that the period of such suspension or revocation has not yet expired.
- (4) That the applicant has failed to pass a prior examination and that the period of time required by this Code between examinations has not yet expired.
- (5) That the applicant does not possess the qualifications required for the type of license for which he desires examination.
- (6) That the applicant, within the twelve (12) month period prior to application, while operating or working within the corporate limits of the city, had willfully failed to comply with provisions of this article or the Electrical Code or had failed to correct improper electrical installations.

In each case where an applicant has failed to receive a passing grade of at least seventy (70) percent on an examination taken by said applicant, he may apply for re-examination as follows:

- (1) The applicant must submit a new application to the Board and pay all fees for such examination.
- (2) In the case of an applicant's first re-examination, the applicant may apply for re-examination immediately and, provided his application is approved by the Board in accordance with the provisions of this Ordinance, shall be scheduled to take the next regularly scheduled examination set by this Board.
- (3) In the case of an applicant's second re-examination request, the applicant may apply for re-examination immediately and, provided his application is approved by the Board in accordance with this Ordinance, shall be scheduled to take the second regularly scheduled examination set by the Board after his application is received.

- (4) In the case of an applicant's third, or any subsequent re-examination request, the applicant shall file his application with the Board. However, the applicant shall not be re-examined until he has applied to the Board for a hearing to show cause why he shall be re-examined. In every case where the Board holds a hearing under this subsection, the burden of proof shall be upon the applicant to show cause why he should be re-examined.

Section 4.1 (3) (b). Delete in its entirety and insert the following:

Buildings moved into or relocated from one lot to another within the city shall have the electrical systems installed in compliance with the adopted edition of the National Electrical Code as amended by the City of Abilene.

Existing buildings which have been condemned may have existing serviceable electrical systems left in place, provided these systems were installed in accordance with the standards applicable at the time the building was built, and further provided that the following minimum provisions are met:

(1) Services:

- a. All exterior service equipment shall be of weather-proof materials, fittings and devices.
- b. Latest approved service mast heights and points of attachment to structures shall be maintained.
- c. Services shall be of a capacity large enough to carry anticipated load. No service conductor shall be less than 100 amps.

(2) Circuits:

- a. Existing two conductor non-metallic sheathed cable, if in safe condition, shall be allowed to remain with the addition of a single grounding conductor run separately to all outlets located in bathroom, kitchen and laundry room areas.
- b. Other conforming wiring methods, not presently approved by the City of Abilene Electrical Code, may remain if in safe condition and not disturbed in any manner other than reconnection to an electrical panel, provided also that these systems were legal at the time of original installation.
- c. Receptacles shall be sufficient in numbers to serve the desired space in a practical manner, but not less than one for each 20' of wall area.
- d. These Code requirements shall not be necessary:
 - (1) exterior plugs for residences,
 - (2) GFCI circuit breakers.

Where there is a question regarding the safety of any installed electrical system in a building which is being rehabilitated, the electrical inspector may require that the owner obtain the services of a licensed master electrician to completely examine and test the system and report on its safety. When systems are found to be unsafe, they must be replaced in accordance with the requirements of the National Electrical Code as adopted by the City of Abilene.

- END -